THE HON'BLE SRI JUSTICE V.V.S. RAO

WRIT PETITION No.6162 of 2006

DATED:06.04.2006

Between:

Vattikuti Venkateswara Rao ..Petitioner

And

The District Collector, West Godavari, Eluru. and others.

..Respondents

THE HON'BLE SRI JUSTICE V.V.S. RAO

WRIT PETITION No.6162 of 2006

ORDER:

The petitioner purchased an extent of Acs.22.05 cents of land comprised in survey Nos.586/1 and 2 and 587/1 to 3 situated at Pangidigudem Village of Dwaraka Tirumala Mandal in West Godavari District, from the fourth respondent herein for a sale consideration of

Rs.24,20,000/-. After paying the sale consideration, the petitioner came to know that the fourth respondent obtained D-Form pattas and pattadar pass books. The petitioner statedly was not aware of fourth respondent/ General Power of Attorney obtaining any D-Form pattas in respect of the land demised to him or the assignees of the land or his vendors. At that juncture, the petitioner came to know that the fourth respondent was involved in an Anti Corruption Bureau case and in that connection, the Mandal Revenue Officer passed orders resuming the land admeasuring Acs.5.00. As the information, which the petitioner got through the news item in Enadu, dated 18.02.2006, was vague, he got issued a notice, dated 22.02.2006, to respondents 1 to 3 and the Deputy Superintendent of Police (Vigilance Enforcement), Eluru, requesting to furnish information, which is necessary for him to safeguard the property purchased from the fourth respondent, who is the General Power of Attorney of Iqbal Ahmed and Adila Banu. As he did not receive any response, the petitioner filed the present writ petition.

The matter was initially listed on 28.03.2006. The learned Assistant Government Pleader for Revenue (General) sought time for getting instructions in the matter. While adjourning the matter, this Court observed that the pendency of the writ petition does not preclude the Mandal Revenue Officer, Dwaraka Tirumala Mandal, West Godavari District, to furnish the information sought by the petitioner. Thereafter, when the matter was again listed on 04.04.2006, the learned Assistant Government Pleader submitted that he did not get any instructions in the matter. Today, also when the matter is called, the learned Assistant Government Pleader could not obtain instructions. Therefore, in the considered opinion of this Court, information as sought by the petitioner with regard to the D-Form pattas, dated 22.01.1999, in respect of the private land and the other concerned information, can be furnished to him. It is submitted by the learned Assistant Government Pleader that the records are seized by the Deputy Superintendent of Police (Vigilance Enforcement). The same cannot be a ground to deny the information to the petitioner. It shall be open to the Mandal Revenue Officer to obtain, if necessary, the Xerox copies of the documents sought by the petitioner from the office of the Deputy Superintendent of Police (Vigilance Enforcement) and furnish to the petitioner. Be it noted that the petitioner's allegation that the pattas were obtained by the fourth respondent in respect of the

private land is a serious allegation and the petitioner cannot defend his title without proper information.

The Writ Petition is, therefore, disposed of directing the Mandal Revenue Officer to take necessary action on the notice issued on behalf of the petitioner on 22.02.2006 requesting to furnish the information in relation to the grant of D-Form pattas and issue of pattadar pass books in respect of the land in question. This exercise may be completed within a period of four weeks from today. In the meanwhile, there shall be *status quo* as on today for a period of six weeks. No costs.

(V.V.S.RAO,J)

06.04.2006

Note: Furnish C.C. in two days.

(B/o) GJ